



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/809,870	03/26/2004	Yoshihito Asao	Q80584	7600
23373	7590	06/13/2008	EXAMINER	
SUGHRUE MION, PLLC			RUTLAND WALLIS, MICHAEL	
2100 PENNSYLVANIA AVENUE, N.W.			ART UNIT	PAPER NUMBER
SUITE 800			2836	
WASHINGTON, DC 20037			MAIL DATE	
			06/13/2008	
			DELIVERY MODE	
			PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Response to Arguments

Applicant's arguments direct to the 35 U.S.C. 112, first paragraph rejection have been fully considered but they are not persuasive.

Applicant argues the plate 83 and 84 are illustrated (reproduced below in relevant part) in Fig. 6 and 8 provide support for the newly added limitations. It appears the plate shown is planar. Therefore it is submitted, Fig. 6 and 8 do not provide the support for a plate which is not planar.



Applicant's remaining arguments filed 5/19/2008 have been fully considered but they are not persuasive.

Applicant argues there is no need for an electric connection body for electrically connecting the battery and the inverter unit, since the battery and inverter unit of Masako are already housed in the electromagnetic shielding container.

In response Masaki teaches connection of a battery and the inverter and containing the battery and the inverter within a housing, however does not address physical mounting structures or attachment in any meaningful way. The components of Masaki must be attached or fixed in some manner to the vehicle. Shirakawa teaches in the illustrations shown in at least Fig. 4 a battery may for example be fixed to an inverter with a plate. It remains the position of the Office it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Masaki to use a metal plate

as means to directly connect the battery and the inverter in order to securely attach the components and to reduce the need mounting space in the vehicle.

Applicant secondly argues there is no teaching or suggestion in Masaki regarding the connection between the battery and the inverter unit; therefore it is evident that the Examiner's reasoning is merely a result of hindsight.

In response to applicant's argument that the examiner's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the applicant's disclosure, such a reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971). As the teaching of using a plate as an attachment means between a battery and an inverter unit is clearly seen in Shirakawa it would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of a metal plate to the system disclosed by Masaki in order to secure the components and to reduce the need mounting space in the vehicle.

With respect to claim 11 Applicant argues there is no teaching the inverter unit is held and fixed to the battery by the electrical connection body. Masaki as modified by Shirakawa teaches the use of a metal plate electric connection body for electrically connecting the battery and the inverter unit. As the connection body taught constitutes a metal plate the inverter unit and the battery would be held and fixed.

With respect to claim 16 Applicant argues there is no attachment plate or fixing plate, nor is any welding disclosed or taught. In response, Shirakawa teaches the use of metal plates connecting the battery and the inverter (items 3 and 2) in connection with attachment and fixing plates (items 21 and 22) together forming a connection body. Shirakawa teaches the use of fasteners to affix the metal plate with the battery and the inverter. Shirakawa does not teach the welding of which the plate and the junction board are attached. As welding is a well known means of attaching such circuits it would have been obvious to one of ordinary skill in the art at the time of the invention to weld the board and plate of Shirakawa to form one integral structure to reduce the wiring and maintenance.

With respect to claim 3, 5 and 17 Applicant argues the allowability based upon the virtue of the allowability of the parent claims, however as these parent claims have not been deemed allowable the dependant claims remain rejected.

With respect to claim 15 Applicant argues there is no teaching that a metal plate is fixed to the battery tray. In response, at least a fixed relationship would be formed as the battery and tray the inverter are all mechanically held in place.

With respect to claim 18 Applicant argues the further modification to include the teachings of Johnson is based solely on impermissible hindsight. In response, the use of plate which is not planar as shown in the universal system on Johnson may be used to mount various electrical and mechanical components in different relationships. The spatial relationship between the battery and the inverter in Shirakawa is not described in detail. It would have been obvious to one of ordinary skill in the art at the time of the

Art Unit: 2836

invention to modify Masaki and Shirakawa to use a bracket which is not planar in order to attach the battery and the inverter to a side of the inverter unit. The use of non planar universal brackets as seen in Johnson to increase flexibility of mounting configurations, a known benefit to those in the skilled in the art.

In view of the above the rejection is deemed proper and therefore has been maintained.

/Michael J Sherry/

Supervisory Patent Examiner, Art Unit 2836